

REMARKS

Claims 1-72 are pending in the application, of which claims 31-34 and 42-72 are withdrawn from consideration, and claims 1-30 and 35-41 are rejected. The Examiner is respectfully requested to reconsider and withdraw the rejections and objections in view of the amendments and remarks contained herein.

In the Action, the Examiner objected to the information disclosure statement filed August 5, 2002. In particular, the Examiner submits that the information disclosure statement fails to comply with 37 CFR 1.98(a)(2). Applicant will re-submit each objectionable document listed in the information disclosure statement in a separate mailing at a later date.

Claims 1, 7-8, 12, 15-18, 25, 35 and 39 are amended to obviate the rejections under 35 U.S.C. § 112. No new matter was added.

The features of claim 2 are added to claim 1, and claim 2 is canceled.

Applicant acknowledges allowable claims 18-30 and 35-42 if rewritten to overcome the rejections under 35 U.S.C. § 112, second paragraph.

Applicant further acknowledges allowable claims 2-9 and 17 if rewritten to overcome the § 112 rejections, second paragraph, and to include all of the limitations of the base claim and any intervening claims.

REJECTIONS UNDER 35 U.S.C. § 112

Claims 1-30 and 35-41 were rejected under 35 U.S.C. § 112, second paragraph as allegedly indefinite. Applicant respectfully traverses those rejections.

Claims 1 and 35 were amended to positively recite the percutaneous electrode. Claims 1, 16-18, 25 and 35 were amended to eliminate alleged vagueness regarding those claims as positively claiming connection to the body. Claims 1, 18, 25, and 35 were further amended to remove inferences regarding a "releasable bond."

Claims 7, 8, 12, 16 and 39 were amended to correct improper antecedent bases and other claim structure informalities.

Claim 15 was amended to identify structural cooperative relationship between the elements.

No new matter was added with the above-referenced amendments to the claims, and the amendments are supported by the originally submitted specification, drawings and claims.

In view of the foregoing, Applicant respectfully submits that the rejections under § 112 are overcome.

REJECTIONS UNDER 35 U.S.C. §§ 102 AND 103

Claims 1, 10, 11 and 16 were rejected under 35 U.S.C. 102(b) as allegedly anticipated by Farrar et al. (U.S. Patent No. 4,281,659). Claims 13-15 were rejected under 35 U.S.C. §102(b) as allegedly anticipated by or, in the alternative, under 35 U.S.C. §103(a) as allegedly obvious over Farrar et al. (previous cite). Applicant respectfully traverses those rejections.

Independent claim 1 was amended to include the features of dependent claim 2. Claim 2 was canceled. Dependent claim 2 was deemed allowable by the Examiner if rewritten to overcome the § 112 rejections and to include all of the limitations of the base claim and any intervening claims. Therefore, pursuant to the foregoing amendment, independent claim 1, and dependent claims 10, 11, 13-15 and 16 re deemed allowable.

Claims 3-9 and 17 are deemed allowable based on the § 112 amendments without including the limitations of the respective base claims and any intervening claims.

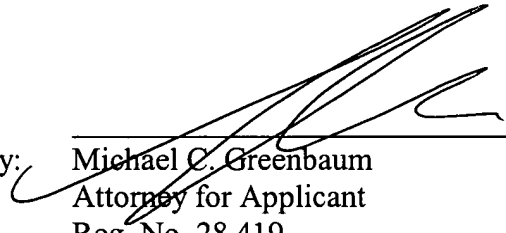
CONCLUSION

Applicant respectfully submits that this amendment and the above remarks obviate the outstanding rejections in this case, thereby placing the application in condition for immediate allowance. Allowance of this application is earnestly solicited.

If any fees under 37 CFR §§ 1.16 or 1.17 are due in connection with this filing, please charge the fees to Deposit Account No. 23-2185 (000309-00202).

If any extension of time under 37 CFR § 1.136 is necessary that is not accounted for in the paper filed herewith, such an extension is requested. The extension fee should be charged to Deposit Account No. 23-2185 (000309-00202).

Respectfully submitted,

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